

IN THE DRAWINGS

The attached sheets of drawings include changes to Fig. 4, Figs. 5A-5C, Fig. 7A, Fig. 7B, Fig. 8, and Figs. 11A-11D. These sheets, which include Fig. 4, Figs. 5A-5C, Fig. 7A, Fig. 7B, Fig. 8, and Figs. 11A-11D, replace the original sheets including Fig. 4, Figs. 5A-5C, Fig. 7A, Fig. 7B, Fig. 8, and Figs. 11A-11D.

Attachment: Replacement Sheets (10)

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 2-20, 22-32, 40 and 42-55 are pending in the case. Claims 2, 20, 22 and 40 are amended by the present amendment. Support for amended Claims 2, 20, 22 and 40 can be found in the original specification, claims and drawings.¹ Thus, no new matter is presented.

In the outstanding Official Action, Claim 20 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter; Claims 2-20, 22-40, and 42-55 were rejected under the judicially created doctrine of obviousness-type double patenting in view of copending Application 09/684,965 filed October 10, 2000 (hereinafter, “the ‘965 application”) in view of Navarre et al. (U.S. Patent 6,442,611, hereinafter “Navarre”); and Claims 2-20, 22-40 and 42-55 were rejected under 35 U.S.C. § 103(a) as unpatentable over Navarre in view of Miller et al. (U.S. Patent No. 5,475,819, hereinafter “Miller”).

Claim 20 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the outstanding Official Action cites page 40, lines 1-15 and page 41, lines 7-17, of the specification, which describes that a computer readable medium can take a variety of forms. In response, Claim 20 is amended to recite “a computer readable storage medium” instead of a “computer readable medium”, so as to be directed to a tangible media.

Accordingly, Applicants respectfully request the rejection of Claim 20 under 35 U.S.C. § 101 be withdrawn.

The Official Action has rejected Claims 2-20, 22-40 and 42-55 under 35 U.S.C. § 103 as unpatentable over Navarre in view of Miller. The Official Action cites Navarre as

¹ Specification at page 40, lines 1-10, pages 17-18, and Figs. 6 and 7A.

disclosing the Applicants' invention with the exception of selecting an application service provider (ASP). The Official Action cites Miller as disclosing this limitation and states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the reference teachings. Applicants respectfully traverse this rejection.

Claim 2 relates to a method for managing ASP transactions between an ASP and an ASP user. An ASP transaction request having a user identifier is received from a user via a telecommunications network and a determination is made whether a document profile exists which corresponds to the received user identifier. If it is determined that a document profile exists, a document manager interface screen is sent to the user. The user is then able to select an ASP for processing the transaction request and subsequently transmit instructions via the communications network to the selected ASP.

Turning to the applied reference, Navarre describes a method and gateway for gaining access to a plurality of server applications.² Specifically, Navarre describes that a user, by way of a client application (410), submits user authentication information and search request information to a gateway (420), which formats and transmits the data to the server application(s) (430-460) for processing.³ The application(s) then generate a response based on the received information, which is formatted by the gateway (420) to be displayed to the user at the client application.⁴

It is respectfully submitted that the outstanding Official Action fails to make a *prima facie* case of obviousness because Navarre fails to teach or suggest the claimed features for which it is asserted as a primary reference under 35 U.S.C. § 103.

Claim 2 recites, *inter alia*, a method for managing application service provider transactions, comprising:

² Navarre at Fig. 3.

³ Navarre at col. 2, lines 50-65.

⁴ Id.

“...determining whether a ***document profile*** exists for said user identifier received;
sending to said user a ***document manager interface screen*** based on said determination of whether a ***document profile*** exists...”

The Official Action cites col. 4, lines 47-60 of Navarre as describing the above-noted feature of determining whether a document profile exists for the user identifier received. However, the cited portion of Navarre describes that end users of the gateway can be authorized to access one or more services via user security profiles maintained in the user profile database (270).⁵ Specifically, a user enters a user ID and password, and access to server application may be granted based on a user’s profile corresponding to the entered parameters.

Navarre, however, fails to teach or suggest a step of determining whether a ***document profile*** exists for a received user identifier. Instead, Navarre describes that a user profile is used to determine whether the user is authorized to access one or more services via the gateway (220). Navarre’s system relates to accessing a plurality of county server applications storing searchable criminal records, and clearly does not describe that any operations are performed relating to documents or a document profile. Thus, Navarre describes that a user profile exists, but fails to teach or suggest that a ***document profile*** exists for a received user identifier, as recited in Claim 2.

Claim 2 further recites that a ***document manager interface*** is sent to a user based on a determination of whether a document profile exists. In addressing this feature of Claim 2, the outstanding Official Action relies on col. 4, lines 58-60 of Navarre.

In the cited portion, Navarre describes that once authentication is complete, the user profile is used to create a menu of the services accessible by the client for that session. However, as stated above, Navarre describes only that county server application, capable of

⁵ Navarre at col. 4, lines 49-51.

receiving user search parameters and returning results to a user are available. Navarre, at no point, teaches or suggests that a document management operation, or any similar services, are available to the user via the gateway. Thus, Navarre's menu of services may list various accessible server applications but fails to read on a *document manager interface*, as recited in Claim 2.

As discussed above, Navarre fails to teach or suggest the determination of the existence of a document profile or the transmission of a document manager interface to a user based on the determination that a profile exists. Likewise, Miller fails to remedy this deficiency, and therefore, none of the cited references, alone or in combination teach or suggest Applicants' Claims 2-20, 22-40, and 42-55 which include the above distinguished limitation by virtue of independent recitation or dependency. Therefore, the Official Action fails to provide a *prima facie* case of obviousness with regard to any of these claims.

Accordingly, Applicant respectfully requests the rejection of Claims 2-20, 22-40 and 42-55 under 35 U.S.C. § 103 in view of Navarre and/or Miller, be withdrawn.

Claims 2-20, 22-40 and 42-55 were rejected under obviousness-type double patenting in view of the '965 Application and Navarre. The outstanding Official Action states that "the difference between Claim 2 of the instant application and Claim 1 of co-pending application '965 is that Claim 2 of instant application further recites a document profile."⁶ The Official Action the states that Navarre teaches a document profile and that it would have been obvious at the time of the invention to combine Navarre with Claim 1 of the '965 application to arrive at Applicant's Claim 2.

As discussed above, Navarre fails to teach or suggest a step of determining whether a *document profile* exists for a received user identifier. Thus, Applicant's respectfully submit that Navarre fails to teach or suggest the claimed feature for which it is asserted as a

⁶ Official Action at page 4, lines 5-6.

secondary reference under obviousness-type double patenting, specifically Navarre fails to teach or suggest *a document profile*, as recited in Claim 2.

Accordingly, Applicant respectfully requests the rejection of Claims 2-20, 22-40 and 42-55 under obviousness-type double patenting in view of the '965 application Navarre and/or Miller, be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 2-20, 22-40 and 42-55 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance pending the submission of a Terminal Disclaimer, and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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